

DISTRICT COURT OF THE STATE OF NEW YORK  
COUNTY OF SOUTHERN  
CARMELO GONZALEZ,

ATTORNEY COLEMAN 22147  
Petitioner(s) RETURN DATE  
Plaintiff(s) INDEX NO 08 CIV 4060  
INDEX DATE 4/30/2008  
Defendant(s) CALENDAR NO  
Respondent(s) 3rd PARTY INDEX#  
JUDGE DANIELS

- against -

SOUTH'S BAR AND RESTURANT AND 273 CHURCH STREET  
ASSOCIATES,

STATE OF NEW YORK: COUNTY OF NASSAU

SS: AFFIDAVIT OF SERVICE

THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION  
AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 5/3/2008 at 5:41 PM at 273 CHURCH STREET GROUND FLOOR NEW YORK, NY 10013  
deponent served the within SUMMONS IN A CIVIL ACTION AND COMPLAINT

upon

SOUTH'S BAR AND RESTURANT

☒ Said Documents Were Properly Endorsed with the  
Index Number and Date of Filing thereon

witness/defendant/respondent (hereafter called the recipient) therein named.

A. Individual By Personally delivering to and leaving with said individual, and that he knew the person so served and described as recipient therei

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B. Corp/ ☒ By delivering to and leaving with ROGER HERR and that he knew the person  
so served and authorized to accept service to ☐ an officer ☐ Director ☒ managing agent or general agen ☐ cashier ☐ AsstCashier  
Prtnshp ☐ Agent authorized by appointment or by law to receive service.

C. Suitable Age Person By delivering thereat a true copy of each to a person of suitable age and discretion.  
Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the state

D. Affixing to Door, Etc. By affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place  
☐ usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age  
discretion, thereat, having called there

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@ @ @  
Deponent talked to who stated that recipient ☐ lived ☐ worked there.

E. Mailing W/B, C or On Deponent completed said service under the last two sections by mailing a copy of  
the above named process by First Class Mail addressed to the witness/defendant/respondent to the above address of service which  
is recipient's: ☐ last known residence ☐ last known place of business (with additional endorsement of Personal and Confidential  
on face of envelope.)

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☐ RPAPL 735 An additional mailing by Certified Mail was made to the respondent at the premise sought to be recovered.

F. DRL Sec232 The required notice was legibly printed on the face of the summons. I identified the defendant by photograph annexed hereto  
which was provided by the plaintiff.

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G. SEX SKIN COLOR HAIR COLOR AGE (approx.) HEIGHT (approx.) WEIGHT (approx.)  
Description M WHITE BROWN 30 5'9" 170  
☒ OTHER MOUSTACHE, BEARD

Sec.8001Fee A fee of \$0.00 , pursuant to CPLR Section 8001, was tendered to the witness.

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Military I asked the person spoken to whether the defendant/respondent was in active military service of the United States or of the  
State of New York in any capacity whatever and received a negative repy. Defendant/Respondent wore ordinary civilian  
clothers and no military uniform. The source of my information and the grounds of my belief are the conversations and  
observations above narrated. Upon information and belief I aver that the defendant/respondent is not in the military service of  
New York State or of the United States as the term is defined in either the State or in the Federal statutes.

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Sworn Before me this day 5 of  
MAY 2008

DONNA L. ODRISCOLL  
NOTARY PUBLIC, State of New York  
No. 010D6126123  
Qualified in Nassau County  
Commission Expires on 4/25/2009

DAVID A SMITH #0912050

  
(NOTARY PUBLIC)